



# House of Representatives

General Assembly

**File No. 687**

February Session, 2016

Substitute House Bill No. 5373

*House of Representatives, April 21, 2016*

The Committee on Appropriations reported through REP. WALKER of the 93rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***AN ACT REQUIRING THE MAINTENANCE OF A CONFIDENTIAL  
STATE AGENCY PERSONAL DATA SYSTEMS INVENTORY BASED  
ON A PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE  
STUDY.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this  
2 section, "state agency" means any agency with a department head, as  
3 defined in section 4-5 of the general statutes, and "automated personal  
4 data system" and "personal data" have the same meanings as provided  
5 in section 4-190 of the general statutes, as amended by this act.

6 (b) Not later than December 31, 2016, and annually thereafter, each  
7 state agency shall, within available appropriations, submit a list of all  
8 automated personal data systems maintained by such agency that  
9 contain personal data as of December first of the year of such  
10 submission. Such list shall be submitted in a form and manner  
11 prescribed by the Secretary of the Office of Policy and Management  
12 and shall include: (1) The general nature and purpose of each

13 automated personal data system maintained by such agency, (2) the  
 14 categories of personal data and other data in such systems, (3) how the  
 15 personal data is used, and (4) the categories of authorized users of such  
 16 personal data.

17 (c) Not later than January 31, 2017, and annually thereafter, the  
 18 Secretary of the Office of Policy and Management shall create and post  
 19 on the office's Internet web site an inventory of all of the state agency  
 20 lists of automated personal data systems submitted under this section,  
 21 including the information submitted under subdivisions (1) to (4),  
 22 inclusive, of subsection (b) of this section.

23 Sec. 2. Subdivision (5) of section 4-190 of the general statutes is  
 24 repealed and the following is substituted in lieu thereof (*Effective from*  
 25 *passage*):

26 (5) "Computer accessible files" means any personal data which is  
 27 stored on-line or off-line, which can be identified by use of electronic  
 28 means, including, but not limited to, (A) microfilm and microfilm  
 29 devices, which includes, but is not limited to, magnetic tape, magnetic  
 30 film, magnetic disks, magnetic drums, internal memory utilized by any  
 31 processing device, including computers or telecommunications control  
 32 units, punched cards, optically [scanable] scannable paper or film, or  
 33 (B) external or removable hard drives, flash cards, flash drives,  
 34 compact disks or digital video disks.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	4-190(5)

**APP** Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Policy & Mgmt., Off.	GF - Cost	Approx. 15,000	None

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill requires each state agency to submit a list of all automated personal data systems to the Office of Policy and Management (OPM), and requires OPM to create an online inventory of this information.

There is a one-time cost to OPM, estimated to be about \$15,000 to purchase an estimated 132 software licenses (at \$108 per license) for various state agencies to access the software used to compile personal data systems. This represents, on average, two licenses per agency.

There is no fiscal impact to state agencies associated with compiling such a list, as it is anticipated that current staff can manage the additional requirement.

**The Out Years**

There is no fiscal impact in the out years.

**OLR Bill Analysis****sHB 5373*****AN ACT REQUIRING THE MAINTENANCE OF A CONFIDENTIAL STATE AGENCY PERSONAL DATA SYSTEMS INVENTORY BASED ON A PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE STUDY.*****SUMMARY:**

This bill requires each state agency with a department head to submit, within available appropriations and annually by December 31, a list of all “automated personal data systems” that the agency maintains. Presumably, each such agency must submit this list to the Office of Policy and Management (OPM) secretary. It must submit the list in a form and manner prescribed by the secretary and include (1) the general nature and purpose of each system, (2) the categories of personal and other data stored on them, and (3) a description of how the personal data is used and the categories of authorized users. The OPM secretary must post an inventory of these systems, including the information listed above, on the office’s website annually by January 31. Existing law requires agencies to adopt regulations describing their personal data systems (CGS § 4-196).

By law, an “automated personal data system” is a system in which personal data is stored, in whole or in part, in a computer or in computer accessible files (e.g., microfilm or magnetic disks). The bill adds to the definition of “computer accessible files” data stored on external or removable hard drives, flash cards, flash drives, compact disks, or digital video disks.

By law, “personal data” is any information about a person’s education, finances, medical or emotional condition or history, employment or business history, family or personal relationships, reputation, or character, which because of name, identifying number,

mark, or description, can be readily associated with a particular person.

EFFECTIVE DATE: Upon passage

## **BACKGROUND**

### ***Legislative History***

The House referred the bill (File 117) to the Appropriations Committee, which reported a substitute adding the requirement to submit the list within available appropriations.

## **COMMITTEE ACTION**

Program Review and Investigations Committee

Joint Favorable

Yea 10 Nay 0 (03/07/2016)

Government Administration and Elections Committee

Joint Favorable

Yea 8 Nay 3 (04/04/2016)

Appropriations Committee

Joint Favorable Substitute

Yea 50 Nay 4 (04/14/2016)